

**AMENDMENT NO. ONE (1)  
INTERGOVERNMENTAL AGREEMENT**

BETWEEN  
THE STATE OF ARIZONA  
AND  
THE TOWN OF JEROME, ARIZONA

THIS AMENDMENT, entered into 19th November 2002, Amendment Number 1 to JPA 02-23, AG Contract No.: KR02-0349TRN, filed 09 May, 2002, filed with the Secretary of State under No. 25259, pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the TOWN OF JEROME, acting by and through its TOWN MANAGER (the "Town").

1. The State is empowered by Arizona Revised Statutes Section 28-401 to enter into this agreement and has by resolution, a copy of which is attached hereto and made part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The Town is empowered by Arizona Revised Statutes Section 48-572 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the Town.

THIS AMENDMENT is to include additional funding approved by the State for design and construction of a barrier wall in Jerome. Therefore, all references in the agreement to the State's cost estimate shall now read: "State's final cost estimate, not to exceed \$20,000.00."

All other terms and conditions of the original Agreement remains in full force and effect.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

**JEROME, ARIZONA**

**STATE OF ARIZONA**

Department of Transportation

By [Signature]  
JAY KINSELLA  
Mayor

By [Signature]  
WILLIAM J. HIGGINS, P.E.  
Deputy State Engineer

ATTEST

By [Signature]  
AL PALIERI  
CLERK

NO. 25259  
Filed with the Secretary of State  
Date Filed: 11/19/02  
[Signature]  
Secretary of State

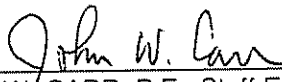
By: [Signature]  
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**AMENDMENT NO. ONE (1)**

RESOLUTION

BE IT RESOLVED on this 26th day of September, 2002, that I, the undersigned VICTOR M. MENDEZ, as Director of the ARIZONA DEPARTMENT OF TRANSPORTATION, have determined that it is in the best interests of the STATE OF ARIZONA that the DEPARTMENT OF TRANSPORTATION, acting by and through the INTERMODAL TRANSPORTATION DIVISION, to enter into an agreement with the TOWN OF JEROME for the purpose of amending the agreement to include additional funds approved by the State. Therefore all references in Amendment No. One (1), as to the State's cost estimate shall now read: "State's final cost estimate, not to exceed \$21,000.00".

Therefore, authorization is hereby granted to draft said agreement, which, upon completion, shall be submitted to the Deputy State Engineer for approval and execution.

  
\_\_\_\_\_  
JOHN W. CARR, P.E., Staff Engineer  
Development / Intermodal Transportation Division  
for VICTOR M. MENDEZ, Director



Founded 1876  
Incorporated 1899

# TOWN OF JEROME, ARIZONA

POST OFFICE BOX 335, JEROME, ARIZONA 86331  
(520) 634-7943 FAX: (520) 634-0715 E-mail toj@sedona.net

Celebrating Our 100th Anniversary  
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## RESOLUTION #399

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA DEPARTMENT OF TRANSPORTATION TO PROVIDE FUNDING FOR THE DESIGN AND CONSTRUCTION OF A BARRIER WALL IN THE TOWN OF JEROME AT MP 344.5

WHEREAS, the Town of Jerome has requested funds to design and construct a barrier wall in the Town of Jerome (MP 344.5) for the safety and benefit of the traveling public. The parties agree the Town shall be the lead agency for the project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF JEROME, ARIZONA:

THAT, the Mayor of the Town of Jerome is hereby authorized to enter an intergovernmental agreement between the State of Arizona Department of Transportation and the Town of Jerome, for the purposes stated above.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF JEROME this 10<sup>th</sup> day of April, 2002

APPROVED:

  
Jay Kinsella, Mayor

ATTEST:

  
Al Palmieri, Town Clerk

I do hereby certify that this is a true and correct copy of Resolution 399, passed and adopted by the Common Council of the Town of Jerome, on April 10<sup>th</sup>, 2002

  
Al Palmieri, Town Clerk

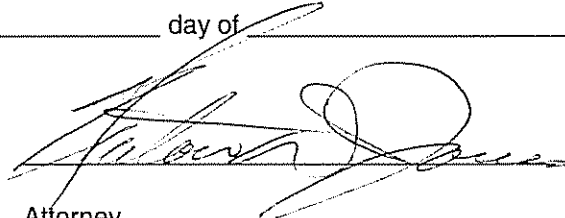
JPA 02-23

**AMENDMENT NO. ONE (1)**

APPROVAL OF THE TOWN OF JEROME ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, INTERMODAL TRANSPORTATION DIVISION, and the TOWN OF JEROME and declare this agreement to be in proper form and within the powers and authority granted to the Town under the laws of the State of Arizona. No opinion is expressed as to the authority of the State to enter into this agreement.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

  
Attorney



STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL  
TRANSPORTATION SECTION

JANET NAPOLITANO  
ATTORNEY GENERAL

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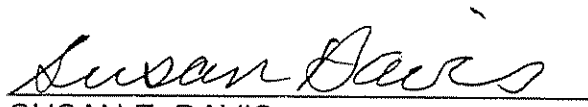
**INTERGOVERNMENTAL AGREEMENT**  
**DETERMINATION**

A.G. Contract No. KR02-0349TRN (JPA 02-23), an Agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the Undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Agreement.

DATED November 13, 2002.

JANET NAPOLITANO  
Attorney General

  
SUSAN E. DAVIS  
Assistant Attorney General  
Transportation Section

/srs

Att.